

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROAH D. GESSESS and RAHEL TEFERI,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, Secretary,
Department of Homeland Security, UR
JADDOU, Director, United States
Citizenship and Immigration Services, JOHN
M. ALLEN, Director Texas Service Center,
United States Citizenship and Immigration
Services, ANTONY J. BLINKEN, United
States Secretary of State, RINA BITTER,
United States Assistant Secretary of State,
Consular Affairs, ANA ESCROGIMA,
Consulate General, United States Consulate,
Montreal, Canada United States Department
of State, PHILLIP SLATTERY, Director of
the National Visa Center, United States
Department of State, DEPARTMENT OF
HOMELAND SECURITY, UNITED
STATES CITIZENSHIP AND
IMMIGRATION SERVICES, and UNITED
STATES DEPARTMENT OF STATE,

Defendants.

No. 2:23-cv-551

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Noted for Consideration:
June 12, 2023

Plaintiffs brought this litigation pursuant to the Administrative Procedure Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate Plaintiffs’ Form I-130, Petition for Alien Relative, and, if approved, to compel USCIS to transmit the decision to the Department of State’s National Visa Center. Defendants have not yet responded to the complaint. For good cause, the parties request that the case be held in abeyance until August 29, 2023.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

On May 10, 2023, USCIS issued a Notice of Intent to Deny (“NOID”) Plaintiffs’ Form I-130. They have until August 7, 2023, to respond to the NOID. If Plaintiffs respond to the NOID, USCIS will need to review the response and then continue processing.

As additional time is necessary for this to occur, the parties request that the Court hold the case in abeyance until August 29, 2023. The parties will submit a joint status report on or before August 29, 2023.

Dated: June 12, 2022

Respectfully submitted,

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Attorney for Plaintiffs

ORDER

The case is held in abeyance until August 29, 2023. The parties shall submit a joint status report on or before August 29, 2023. It is so **ORDERED**.

DATED this 23rd day of June, 2023.



Jamal N. Whitehead
United States District Judge